

**DECLARATION, POWER OF ATTORNEY AND PETITION
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **A human chitinase, its recombinant production, its use for decomposing chitin, its use in therapy or prophylaxis against infection diseases**

the specification of which (check one)

☐ is attached hereto.

☒ was filed on **June 7, 1995**

Application Serial No.

and was amended on

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that this invention was ever known or used before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof or more than one year prior to this application; or in public use or on sale in the United States for more than one year prior to this application; that this invention or discovery has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months before this application; and that no application for patent or inventor's certificate on this invention or discovery has been filed by me or my representatives or assigns in any country foreign to the United States, except as listed below.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with title 37, Code of Federal Regulations, §1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day: Month: Year Filed)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____ (Number)	_____ (Country)	_____ (Day: Month: Year Filed)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____ (Number)	_____ (Country)	_____ (Day: Month: Year Filed)	<input type="checkbox"/> YES	<input type="checkbox"/> NO

As a named inventor I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business with the United States Patent and Trademark Office connected therewith: **Charles R. Hoffmann (24102), Ronald J. Baron (29281), Gerald T. Bodner (30449), Alan M. Sack (31874), A. Thomas Kammer (28226), Daniel P. Burke (30735), Ariene D. Morris (32657), Michael N. Mercant (33966), James A. Stauber (34255), James A. Eisenman (16489)**

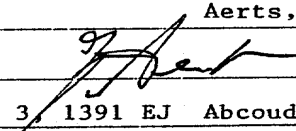
Please direct all communication to : **Hoffmann & Baron, 350 Jericho Turnpike, Jericho, New York 11753 (516) 822 - 3550**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by their first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 (a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application Serial Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in said specification and claims, and I hereby subscribe my name to the foregoing declaration, power of attorney, and this petition on the date herein below stated.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Aerts, Johannes Maria Franciscus Gerardus
Inventor's Signature  Date June 27, 1995
Residence Sandbergstraat 3, 1391 EJ Abcoude, the Netherlands

Citizenship Subject of the Queen of the Netherlands

Post Office Address see above

Serial No.: **08/486,839**

Docket: **294-32**

Applicant or Patentee: Universiteit van Amsterdam

Serial or Patent No.: 08/486,839

Filed or Issued: June 7, 1995

For: A HUMAN CHITINASE, ITS RECOMBINANT PRODUCTION, ITS USE FOR
DECOMPOSING CHITIN, ITS USE IN THERAPY OR PROPHYLAXIS
AGAINST INFECTIOUS DISEASES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(d))--NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Universiteit van Amsterdam

ADDRESS OF ORGANIZATION Spui 21, 1012 WX Amsterdam, The Netherlands

TYPE OF ORGANIZATION:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE
(26 USC 501 (a) and 501 (c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE
OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE
SERVICE CODE (26 USC 501 (a) and 501 (c)(3)) IF LOCATED IN THE UNITED
STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER
STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED
IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled

A HUMAN CHITINASE, ITS RECOMBINANT PRODUCTION, ITS USE FOR
DECOMPOSING CHITIN, ITS USE IN THERAPY OR PROPHYLAXIS
AGAINST INFECTIOUS DISEASES

by inventors Johannes M.F.G. Aerts
described in

- ☐ the specification filed herewith
☒ application serial no. 08/486,839, filed June 7, 1995
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).


NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON PROFIT ORGANIZATION

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any charge in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING S.J. Noorda
TITLE OF ORGANIZATION President
ADDRESS OF PERSON SIGNING c/o Spui 21, 1012 WX Amsterdam, The Netherlands

SIGNATURE  DATE 24/2/99

POSTNET 666666